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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 CYRIL KOLOCOTRONIS ,

12 Plaintiff,

13 v.

14 DJ CUNNINGHAM, et al.,

15 Defendants.

Case No. C05-5160RJB

ORDER ON PETITIONER'S
APPLICATION TO PROCEED IN
FORMA PAUPERIS

16 This matter comes before the court on review of the Report and Recommendation of the
17 Magistrate Judge, who recommended that plaintiff's application to proceed *in forma pauperis* be
18 denied because plaintiff had failed to cure the deficiencies in his application. Dkt. 4. The court has
19 reviewed the Report and Recommendation and the remainder of the file herein.

20 On March 18, 2005, the magistrate judge issue an Order to Show Cause, requiring plaintiff to
21 provide legible and full financial information on a form that was sent to him with the Order to Show
22 Cause. See Dkt 3. As of the date of the Report and Recommendation, plaintiff had not returned the
23 completed form. On June 3, 2005, plaintiff filed the completed form. Dkt. 5. The court should
24 decline to adopt the Report and Recommendation and re-refer this matter to the magistrate judge.

25 Therefore, it is hereby

26 **ORDERED** that the court **DECLINES TO ADOPT** the Report and Recommendation of
27 the Magistrate Judge. This matter is **RE-REFERRED TO UNITED STATES MAGISTRATE**

28 ORDER - 1

JUDGE KAREN L. STROMBOM in accord with the original order of reference.

2 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to
3 any party appearing *pro se* at said party's last known address.

4 DATED this 13th day of June, 2005.

Robert G. Bryan

Robert J. Bryan
U.S. District Judge

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ORDER - 2